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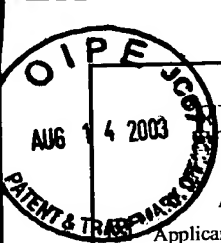
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/350,393	
	Filing Date	July 9, 1999	
	First Named Inventor	Wu	
	Group Art Unit	1638	
	Examiner Name	C. Collins	
Total Number of Pages in This Submission	3	Attorney Docket Number	19603/2760 (CRF D-2404)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify the type)
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

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TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Georgia Evans Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1672 Fax: (585) 263-1600
Signature	<i>Georgia Evans</i>
Date	August 8, 2003

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____	
August 8, 2003 Date	<i>Ruth R. Smith</i> Signature Ruth R. Smith Typed or printed name



**FREE TRANSMITTAL
FOR FY 2003**

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

Application Number	09/350,393
Filing Date	July 9, 1999
First Named Inventor	Wu
Examiner Name	C. Collins
Art Unit	1638
Attorney Docket No.	19603/2760 (CRF D-2404)

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TOTAL AMOUNT OF PAYMENT (\$) 625

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number

14-1138

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X = 0

Independent Claims -3** = X = 0

Multiple Dependent Claims X = 0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued) AUG 19 2003

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	2053	130	Non-English specification
1812	2,520	2182	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	21804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	21805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	2460	130	Petitions to the Commissioner
1807	50	21807	50	Processing fee under 37 CFR 1.17(q)
1806	180	21806	180	Submission of Information Disclosure Stmt
8021	40	28021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	2802	900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 625

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August 8, 2003
Date

Ruth R. Smith
Signature
Ruth R. Smith
Typed or printed name

SUBMITTED BY

Name (Print/Type)	Georgia Evans	Registration No. (Attorney/Agent)	44,597	Telephone	(585) 263-1672
Signature	<u>Georgia Evans</u>			Date	<u>August 8, 2003</u>

SEND TO: Commissioner for Patents
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Alexandria, VA 22313-1450



PATENT
Docket No.: 19603/2760 (CRF D-2404)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Wu et al.)
Serial No. : 09/350,393)
Cnfrm. No. : 7999)
Filed : July 9, 1999)
For : METHOD OF MAKING WATER STRESS OR)
SALT STRESS TOLERANT TRANSGENIC)
CEREAL PLANTS)

Examiner:
C. Collins

Art Unit:
1638

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NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated February 10, 2003, finally rejecting claims 1-17.

Applicants hereby request an extension of time of three months from the due date of May 10, 2003. Enclosed is a check to cover both the \$465.00 extension of time fee and the \$160.00 appeal fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

08/15/2003 JADD01 00000046 09350393

01 FC:2253 465.00 DP
02 FC:2401 160.00 DP

Respectfully submitted,

Dated: August 8, 2003

Georgia Evans
Registration No. 44,597

NIXON PEABODY LLP
Clinton Square, P. O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1671
Facsimile: (585) 263-1600

R705704.1

Certificate of Mailing - 37 CFR 1.8(a)

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Alexandria, VA 22313-1450, on the date below.

Aug 8, 2003 Ruth R. Smith
Date Ruth R. Smith